



DECLARATION AND POWER OF ATTORNEY

As a below named inventor(s), I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

PARTICULATE PLANT STEROL COMPOSITIONS

the specification of which (check one)

_____ is attached hereto.

X was filed on February 10, 2004 as United States Application Number 10/775,933

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT

international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the following registered attorneys and agents:

LAWRENCE A. CHALETISKY	Reg. No.	24,558
PAULA A. DEGRANDIS	Reg. No.	43,581
DANIEL J. ENEBO	Reg. No.	42,512
HARRY J. GWINNELL	Reg. No.	29,000
EDWARD L. LEVINE	Reg. No.	28,097
GRACE P. MALILAY	Reg. No.	37,669
SCOTT T. PIERING	Reg. No.	42,075
SCOTT PRIBNOW	Reg. No.	43,869
PETER M. REYES, JR.	Reg. No.	47,020
PAUL B. SAVEREIDE	Reg. No.	36,914
JEFFREY J. SKELTON	Reg. No.	42,152
CHRISTOPHER M. TUROSKI	Reg. No.	44,456
DAVID J. UNTENER	Reg. No.	27,963
EDNA VASSILOVSKI	Reg. No.	42,198

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

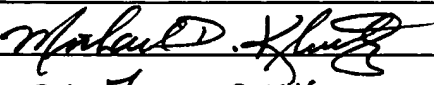
I request that all correspondence be directed to:

Edna Vassilovski, Esq.
CARGILL, INCORPORATED
Law Department
P.O. Box 5624
Minneapolis, MN 55440-5624

Registration No. 42,198
Telephone: (952) 742-1702
Facsimile: (952) 742-6349

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	KLUETZ, Michael D.
Residence	Watertown, Minnesota
Citizenship	United States of America
Post Office Address	701 Co. Rd. 10 SE Watertown, Minnesota 55388
Inventor's signature	
Date	21 June 2004
Name of second inventor	KLEIN, Robert L.
Residence	Wayzata, Minnesota
Citizenship	United States of America
Post Office Address	14722 Oakways Court Wayzata, Minnesota 55391
Inventor's signature	
Date	
Name of third inventor	SNYDER, Stephen K.
Residence	Plymouth, Minnesota
Citizenship	United States of America
Post Office Address	4535 Merrimac Lane North Plymouth, Minnesota 55446
Inventor's signature	
Date	
Name of fourth inventor	GOULSON, Melanie J.
Residence	Dayton, Minnesota
Citizenship	United States of America
Post Office Address	14890 126 th Avenue Dayton, Minnesota 55327
Inventor's signature	
Date	

Name of fifth inventor	CAVALLINI, Vincent M.
Residence	Edina, Minnesota
Citizenship	United States of America
Post Office Address	4035 W. 65 th St., Apt. #118 Edina, Minnesota 55435
Inventor's signature	
Date	

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.



DECLARATION AND POWER OF ATTORNEY

As a below named inventor(s), I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

PARTICULATE PLANT STEROL COMPOSITIONS

the specification of which (check one)

_____ is attached hereto.

 X was filed on February 10, 2004 as United States Application
Number 10/775,933

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT

international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the following registered attorneys and agents:

LAWRENCE A. CHALETISKY	Reg. No.	24,558
PAULA A. DEGRANDIS	Reg. No.	43,581
DANIEL J. ENEBO	Reg. No.	42,512
HARRY J. GWINNELL	Reg. No.	29,000
EDWARD L. LEVINE	Reg. No.	28,097
GRACE P. MALILAY	Reg. No.	37,669
SCOTT T. PIERING	Reg. No.	42,075
SCOTT PRIBNOW	Reg. No.	43,869
PETER M. REYES, JR.	Reg. No.	47,020
PAUL B. SAVEREIDE	Reg. No.	36,914
JEFFREY J. SKELTON	Reg. No.	42,152
CHRISTOPHER M. TUROSKI	Reg. No.	44,456
DAVID J. UNTENER	Reg. No.	27,963
EDNA VASSILOVSKI	Reg. No.	42,198

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Edna Vassilovski, Esq.
 CARGILL, INCORPORATED
 Law Department
 P.O. Box 5624
 Minneapolis, MN 55440-5624

Registration No. 42,198
 Telephone: (952) 742-1702
 Facsimile: (952) 742-6349

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	KLUETZ, Michael D.
Residence	Watertown, Minnesota
Citizenship	United States of America
Post Office Address	701 Co. Rd. 10 SE Watertown, Minnesota 55388
Inventor's signature	
Date	

Name of second inventor	KLEIN, Robert L.
Residence	Wayzata, Minnesota
Citizenship	United States of America
Post Office Address	14722 Oakways Court Wayzata, Minnesota 55391
Inventor's signature	<i>Robert L. Klein</i>
Date	<i>June 11, 2004</i>

Name of third inventor	SNYDER, Stephen K.
Residence	Plymouth, Minnesota
Citizenship	United States of America
Post Office Address	4535 Merrimac Lane North Plymouth, Minnesota 55446
Inventor's signature	
Date	

Name of fourth inventor	GOULSON, Melanie J.
Residence	Dayton, Minnesota
Citizenship	United States of America
Post Office Address	14890 126 th Avenue Dayton, Minnesota 55327
Inventor's signature	
Date	

Name of fifth inventor	CAVALLINI, Vincent M.
Residence	Edina, Minnesota
Citizenship	United States of America
Post Office Address	4035 W. 65 th St., Apt. #118 Edina, Minnesota 55435
Inventor's signature	
Date	

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.



DECLARATION AND POWER OF ATTORNEY

As a below named inventor(s), I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

PARTICULATE PLANT STEROL COMPOSITIONS

the specification of which (check one)

 is attached hereto.

 X was filed on February 10, 2004 as United States Application
Number 10/775,933

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT

international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the following registered attorneys and agents:

LAWRENCE A. CHALETISKY	Reg. No.	24,558
PAULA A. DEGRANDIS	Reg. No.	43,581
DANIEL J. ENEBO	Reg. No.	42,512
HARRY J. GWINNELL	Reg. No.	29,000
EDWARD L. LEVINE	Reg. No.	28,097
GRACE P. MALILAY	Reg. No.	37,669
SCOTT T. PIERING	Reg. No.	42,075
SCOTT PRIBNOW	Reg. No.	43,869
PETER M. REYES, JR.	Reg. No.	47,020
PAUL B. SAVEREIDE	Reg. No.	36,914
JEFFREY J. SKELTON	Reg. No.	42,152
CHRISTOPHER M. TUROSKI	Reg. No.	44,456
DAVID J. UNTENER	Reg. No.	27,963
EDNA VASSILOVSKI	Reg. No.	42,198

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Edna Vassilovski, Esq.
 CARGILL, INCORPORATED
 Law Department
 P.O. Box 5624
 Minneapolis, MN 55440-5624

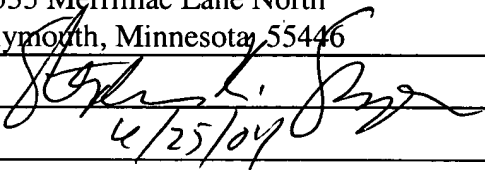
Registration No. 42,198
 Telephone: (952) 742-1702
 Facsimile: (952) 742-6349

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	KLUETZ, Michael D.
Residence	Watertown, Minnesota
Citizenship	United States of America
Post Office Address	701 Co. Rd. 10 SE Watertown, Minnesota 55388
Inventor's signature	
Date	

Name of second inventor	KLEIN, Robert L.
Residence	Wayzata, Minnesota
Citizenship	United States of America
Post Office Address	14722 Oakways Court Wayzata, Minnesota 55391
Inventor's signature	
Date	

Name of third inventor	SNYDER, Stephen K.
Residence	Plymouth, Minnesota
Citizenship	United States of America
Post Office Address	4535 Merrimac Lane North Plymouth, Minnesota 55446
Inventor's signature	
Date	6/25/04

Name of fourth inventor	GOULSON, Melanie J.
Residence	Dayton, Minnesota
Citizenship	United States of America
Post Office Address	14890 126 th Avenue Dayton, Minnesota 55327
Inventor's signature	
Date	

Name of fifth inventor	CAVALLINI, Vincent M.
Residence	Edina, Minnesota
Citizenship	United States of America
Post Office Address	4035 W. 65 th St., Apt. #118 Edina, Minnesota 55435
Inventor's signature	
Date	

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.



DECLARATION AND POWER OF ATTORNEY

As a below named inventor(s), I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

PARTICULATE PLANT STEROL COMPOSITIONS

the specification of which (check one)

_____ is attached hereto.

X was filed on February 10, 2004 as United States Application
Number 10/775,933

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT

international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the following registered attorneys and agents:

LAWRENCE A. CHALETSKY	Reg. No.	24,558
PAULA A. DEGRANDIS	Reg. No.	43,581
DANIEL J. ENEBO	Reg. No.	42,512
HARRY J. GWINNELL	Reg. No.	29,000
EDWARD L. LEVINE	Reg. No.	28,097
GRACE P. MALILAY	Reg. No.	37,669
SCOTT T. PIERING	Reg. No.	42,075
SCOTT PRIBNOW	Reg. No.	43,869
PETER M. REYES, JR.	Reg. No.	47,020
PAUL B. SAVEREIDE	Reg. No.	36,914
JEFFREY J. SKELTON	Reg. No.	42,152
CHRISTOPHER M. TUROSKI	Reg. No.	44,456
DAVID J. UNTENER	Reg. No.	27,963
EDNA VASSILOVSKI	Reg. No.	42,198

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Edna Vassilovski, Esq.
 CARGILL, INCORPORATED
 Law Department
 P.O. Box 5624
 Minneapolis, MN 55440-5624

Registration No. 42,198
 Telephone: (952) 742-1702
 Facsimile: (952) 742-6349

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	KLUETZ, Michael D.
Residence	Watertown, Minnesota
Citizenship	United States of America
Post Office Address	701 Co. Rd. 10 SE Watertown, Minnesota 55388
Inventor's signature	
Date	

Name of second inventor	KLEIN, Robert L.
Residence	Wayzata, Minnesota
Citizenship	United States of America
Post Office Address	14722 Oakways Court Wayzata, Minnesota 55391
Inventor's signature	
Date	

Name of third inventor	SNYDER, Stephen K.
Residence	Plymouth, Minnesota
Citizenship	United States of America
Post Office Address	4535 Merrimac Lane North Plymouth, Minnesota 55446
Inventor's signature	
Date	

Name of fourth inventor	GOULSON, Melanie J.
Residence	Dayton, Minnesota
Citizenship	United States of America
Post Office Address	14890 126 th Avenue Dayton, Minnesota 55327
Inventor's signature	Melanie J. Goulson
Date	5-19-04

Name of fifth inventor	CAVALLINI, Vincent M.
Residence	Edina, Minnesota
Citizenship	United States of America
Post Office Address	4035 W. 65 th St., Apt. #118 Edina, Minnesota 55435
Inventor's signature	
Date	

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.



DECLARATION AND POWER OF ATTORNEY

As a below named inventor(s), I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

PARTICULATE PLANT STEROL COMPOSITIONS

the specification of which (check one)

_____ is attached hereto.

X was filed on February 10, 2004 as United States Application
Number 10/775,933

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT

international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the following registered attorneys and agents:

LAWRENCE A. CHALETISKY	Reg. No.	24,558
PAULA A. DEGRANDIS	Reg. No.	43,581
DANIEL J. ENEBO	Reg. No.	42,512
HARRY J. GWINNELL	Reg. No.	29,000
EDWARD L. LEVINE	Reg. No.	28,097
GRACE P. MALILAY	Reg. No.	37,669
SCOTT T. PIERING	Reg. No.	42,075
SCOTT PRIBNOW	Reg. No.	43,869
PETER M. REYES, JR.	Reg. No.	47,020
PAUL B. SAVEREIDE	Reg. No.	36,914
JEFFREY J. SKELTON	Reg. No.	42,152
CHRISTOPHER M. TUROSKI	Reg. No.	44,456
DAVID J. UNTENER	Reg. No.	27,963
EDNA VASSILOVSKI	Reg. No.	42,198

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Edna Vassilovski, Esq.
CARGILL, INCORPORATED
 Law Department
 P.O. Box 5624
 Minneapolis, MN 55440-5624

Registration No. 42,198
 Telephone: (952) 742-1702
 Facsimile: (952) 742-6349

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

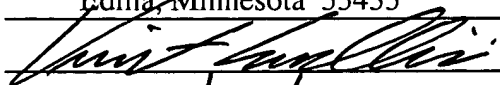
I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	KLUETZ, Michael D.
Residence	Watertown, Minnesota
Citizenship	United States of America
Post Office Address	701 Co. Rd. 10 SE Watertown, Minnesota 55388
Inventor's signature	
Date	

Name of second inventor	KLEIN, Robert L.
Residence	Wayzata, Minnesota
Citizenship	United States of America
Post Office Address	14722 Oakways Court Wayzata, Minnesota 55391
Inventor's signature	
Date	

Name of third inventor	SNYDER, Stephen K.
Residence	Plymouth, Minnesota
Citizenship	United States of America
Post Office Address	4535 Merrimac Lane North Plymouth, Minnesota 55446
Inventor's signature	
Date	

Name of fourth inventor	GOULSON, Melanie J.
Residence	Dayton, Minnesota
Citizenship	United States of America
Post Office Address	14890 126 th Avenue Dayton, Minnesota 55327
Inventor's signature	
Date	

Name of fifth inventor	CAVALLINI, Vincent M.
Residence	Edina, Minnesota
Citizenship	United States of America
Post Office Address	4035 W. 65 th St., Apt. #118 Edina, Minnesota 55435
Inventor's signature	
Date	5/28/04

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

ASSIGNMENT

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, to my (our) full satisfaction, I (we),

KLUETZ, Michael D., 701 Co. Rd. 10 SE, Watertown, Minnesota 55388
KLEIN, Robert L., 14722 Oakways Ct., Wayzata, Minnesota 55391
SNYDER, Stephen K., 4535 Merrimac Lane North, Plymouth, Minnesota 55446
GOULSON, Melanie J., 14890 126th Avenue, Dayton, Minnesota 55327
CAVALLINI, Vincent M., 4035 W. 65th St., Apt. #118, Edina, Minnesota 55435

hereby sell and assign to CARGILL, INCORPORATED, a Delaware corporation having its principal place of business at 15407 McGinty Road West, Wayzata, Minnesota 55391, the entire right, title and interest, in the United States and all territories thereof and in all foreign countries, in and to all the inventions in:

PARTICULATE PLANT STEROL COMPOSITIONS

[] for which an application for a United States Patent is being filed contemporaneously herewith;
[X] U.S. Application Serial Number 10/775,933, filed February 10, 2004
[] identified as International Patent Application Serial No. PCT/ / and filed on

and naming me (us) as inventor(s); and the entire right, title and interest in and to said application and all original and reissue patents granted for any of said inventions, and all divisions and continuations of said application and patents granted thereon, and all applications for any of said inventions filed in countries foreign to the United States and patents granted thereon, including the subject matter of any and all claims which may be obtained in all such patents; and the right to apply for and obtain patents in countries foreign to the United States including the right to claim for any foreign application the benefits of any convention including but not limited to the International Convention for the protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purpose including the right to claim priority in accordance with such convention, and any other benefits available through the laws of these foreign countries with respect to patent applications as fully and entirely as I (we) could claim such benefits; and the right to file applications for patents and otherwise to apply for and obtain any patents for said inventions in its own name in any country.

And I (we) hereby covenant that I (we) have full right to convey the entire interest herein assigned, and that I (we) have not executed and will not execute any agreement in conflict herewith; and I (we) agree that I (we) will communicate to CARGILL, INCORPORATED all facts known to my (our) respecting said invention whenever requested by it, and will execute all instruments or documents requested by it for the filing and prosecution of applications for Letters Patent of the United States of America and all foreign countries on said invention, or in connection with litigation regarding said invention, or for the purpose of protecting title to said Invention or Letters Patent therefore in the United States or foreign countries and will testify in any legal proceedings relating thereto, at the

request of CARGILL INCORPORATED, all without further or other compensation than that above set forth, but otherwise at the cost of CARGILL, INCORPORATED.

And I (we) further covenant and agree that if and when CARGILL, INCORPORATED desires to file a disclaimer relating to said inventions in the United States or any foreign country, I (we) will, upon its request, sign and deliver all papers requisite for the filing of such disclaimer.

And I (we) authorize and request the Commissioner of Patents and Trademarks of the United States to issue the said Letters Patent to CARGILL, INCORPORATED, as assignee and owner of the said entire interest.

This Assignment shall ensure to the benefit of the successors and assigns of CARGILL, INCORPORATED.

Inventor: KLUETZ, Michael D.
Post Office: 701 Co. Rd. 10 SE
Watertown, Minnesota 55388
United States of America
Citizenship: United States of America

Signed

Michael D. Kluetz

Dated

June 21, 2004

STATE OF Minnesota)

ss.

COUNTY OF Hennepin

Before me personally appeared the above-named inventor, Michael D. Kluetz, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date:

21 June 04

Notary Public

Marcia Peterson



Inventor: KLEIN, Robert L.
Post Office: 14722 Oakways Ct.,
Wayzata, Minnesota 55391
United States of America
Citizenship: United States of America

Signed _____

Dated _____

STATE OF Minnesota)
ss.
COUNTY OF _____)

Before me personally appeared the above-named inventor, Robert L. KLEIN, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: _____

Notary Public

Inventor: SNYDER, Stephen K.,
Post Office: 4535 Merrimac Lane North
Plymouth, Minnesota 55446
United States of America
Citizenship: United States of America

Signed _____

Dated _____

STATE OF Minnesota)
ss.
COUNTY OF _____)

Before me personally appeared the above-named inventor, Stephen K. SNYDER, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: _____

Notary Public

Inventor: GOULSON, Melanie J.
Post Office: 14890 126th Avenue, Dayton,
Minnesota 55327
United States of America
Citizenship: United States of America

Signed _____

Dated _____

STATE OF Minnesota)
ss.
COUNTY OF _____)

Before me personally appeared the above-named inventor, Melanie J. GOULSON, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: _____
Notary Public

Inventor: CAVALLINI, Vincent M.
Post Office: 4035 W. 65th St., Apt. #118,
Edina, Minnesota 55435
United States of America
Citizenship: United States of America

Signed _____

Dated _____

STATE OF Minnesota)
ss.
COUNTY OF _____)

Before me personally appeared the above-named inventor, Vincent M. CAVALLINI, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: _____
Notary Public

ASSIGNMENT

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, to my (our) full satisfaction, I (we),

KLUETZ, Michael D., 701 Co. Rd. 10 SE, Watertown, Minnesota 55388
KLEIN, Robert L., 14722 Oakways Ct., Wayzata, Minnesota 55391
SNYDER, Stephen K., 4535 Merrimac Lane North, Plymouth, Minnesota 55446
GOULSON, Melanie J., 14890 126th Avenue, Dayton, Minnesota 55327
CAVALLINI, Vincent M., 4035 W. 65th St., Apt. #118, Edina, Minnesota 55435

hereby sell and assign to CARGILL, INCORPORATED, a Delaware corporation having its principal place of business at 15407 McGinty Road West, Wayzata, Minnesota 55391, the entire right, title and interest, in the United States and all territories thereof and in all foreign countries, in and to all the inventions in:

PARTICULATE PLANT STEROL COMPOSITIONS

[] for which an application for a United States Patent is being filed contemporaneously herewith;
[X] U.S. Application Serial Number 10/775,933, filed February 10, 2004
[] identified as International Patent Application Serial No. PCT/ / and filed on

and naming me (us) as inventor(s); and the entire right, title and interest in and to said application and all original and reissue patents granted for any of said inventions, and all divisions and continuations of said application and patents granted thereon, and all applications for any of said inventions filed in countries foreign to the United States and patents granted thereon, including the subject matter of any and all claims which may be obtained in all such patents; and the right to apply for and obtain patents in countries foreign to the United States including the right to claim for any foreign application the benefits of any convention including but not limited to the International Convention for the protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purpose including the right to claim priority in accordance with such convention, and any other benefits available through the laws of these foreign countries with respect to patent applications as fully and entirely as I (we) could claim such benefits; and the right to file applications for patents and otherwise to apply for and obtain any patents for said inventions in its own name in any country.

And I (we) hereby covenant that I (we) have full right to convey the entire interest herein assigned, and that I (we) have not executed and will not execute any agreement in conflict herewith; and I (we) agree that I (we) will communicate to CARGILL, INCORPORATED all facts known to my (our) respecting said invention whenever requested by it, and will execute all instruments or documents requested by it for the filing and prosecution of applications for Letters Patent of the United States of America and all foreign countries on said invention, or in connection with litigation regarding said invention, or for the purpose of protecting title to said Invention or Letters Patent therefore in the United States or foreign countries and will testify in any legal proceedings relating thereto, at the

request of CARGILL INCORPORATED, all without further or other compensation than that above set forth, but otherwise at the cost of CARGILL, INCORPORATED.

And I (we) further covenant and agree that if and when CARGILL, INCORPORATED desires to file a disclaimer relating to said inventions in the United States or any foreign country, I (we) will, upon its request, sign and deliver all papers requisite for the filing of such disclaimer.

And I (we) authorize and request the Commissioner of Patents and Trademarks of the United States to issue the said Letters Patent to CARGILL, INCORPORATED, as assignee and owner of the said entire interest.

This Assignment shall ensure to the benefit of the successors and assigns of CARGILL, INCORPORATED.

Inventor: KLUETZ, Michael D.
Post Office: 701 Co. Rd. 10 SE
 Watertown, Minnesota 55388
 United States of America
Citizenship: United States of America

Signed _____

Dated _____

STATE OF Minnesota)
)
) ss.
COUNTY OF _____)

Before me personally appeared the above-named inventor, Michael D. Kluetz, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

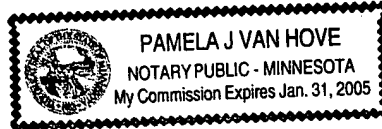
Date: _____
Notary Public

Inventor: KLEIN, Robert L.
Post Office: 14722 Oakways Ct.,
Wayzata, Minnesota 55391
United States of America
Citizenship: United States of America

Signed Robert L. Klein

Dated June 11, 2004

STATE OF Minnesota)
COUNTY OF Hennepin)
SS.



Before me personally appeared the above-named inventor, Robert L. KLEIN, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: 6-11-04 Pamela J Van Hove
Notary Public

Inventor: SNYDER, Stephen K.,
Post Office: 4535 Merrimac Lane North
Plymouth, Minnesota 55446
United States of America
Citizenship: United States of America

Signed _____

Dated _____

STATE OF Minnesota)
COUNTY OF _____)
SS.

Before me personally appeared the above-named inventor, Stephen K. SNYDER, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: _____
Notary Public

Inventor: GOULSON, Melanie J.
Post Office: 14890 126th Avenue, Dayton,
Minnesota 55327
United States of America
Citizenship: United States of America

Signed _____

Dated _____

STATE OF Minnesota)
 ss.
COUNTY OF _____)

Before me personally appeared the above-named inventor, Melanie J. GOULSON, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: _____

Notary Public

Inventor: CAVALLINI, Vincent M.
Post Office: 4035 W. 65th St., Apt. #118,
Edina, Minnesota 55435
United States of America
Citizenship: United States of America

Signed _____

Dated _____

STATE OF Minnesota)
 ss.
COUNTY OF _____)

Before me personally appeared the above-named inventor, Vincent M. CAVALLINI, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: _____

Notary Public

ASSIGNMENT

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, to my (our) full satisfaction, I (we),

KLUETZ, Michael D., 701 Co. Rd. 10 SE, Watertown, Minnesota 55388
KLEIN, Robert L., 14722 Oakways Ct., Wayzata, Minnesota 55391
SNYDER, Stephen K., 4535 Merrimac Lane North, Plymouth, Minnesota 55446
GOULSON, Melanie J., 14890 126th Avenue, Dayton, Minnesota 55327
CAVALLINI, Vincent M., 4035 W. 65th St., Apt. #118, Edina, Minnesota 55435

hereby sell and assign to CARGILL, INCORPORATED, a Delaware corporation having its principal place of business at 15407 McGinty Road West, Wayzata, Minnesota 55391, the entire right, title and interest, in the United States and all territories thereof and in all foreign countries, in and to all the inventions in:

PARTICULATE PLANT STEROL COMPOSITIONS

☐ for which an application for a United States Patent is being filed contemporaneously herewith;
☒ U.S. Application Serial Number 10/775,933, filed February 10, 2004
☐ identified as International Patent Application Serial No. PCT/ / and filed on

and naming me (us) as inventor(s); and the entire right, title and interest in and to said application and all original and reissue patents granted for any of said inventions, and all divisions and continuations of said application and patents granted thereon, and all applications for any of said inventions filed in countries foreign to the United States and patents granted thereon, including the subject matter of any and all claims which may be obtained in all such patents; and the right to apply for and obtain patents in countries foreign to the United States including the right to claim for any foreign application the benefits of any convention including but not limited to the International Convention for the protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purpose including the right to claim priority in accordance with such convention, and any other benefits available through the laws of these foreign countries with respect to patent applications as fully and entirely as I (we) could claim such benefits; and the right to file applications for patents and otherwise to apply for and obtain any patents for said inventions in its own name in any country.

And I (we) hereby covenant that I (we) have full right to convey the entire interest herein assigned, and that I (we) have not executed and will not execute any agreement in conflict herewith; and I (we) agree that I (we) will communicate to CARGILL, INCORPORATED all facts known to my (our) respecting said invention whenever requested by it, and will execute all instruments or documents requested by it for the filing and prosecution of applications for Letters Patent of the United States of America and all foreign countries on said invention, or in connection with litigation regarding said invention, or for the purpose of protecting title to said Invention or Letters Patent therefore in the United States or foreign countries and will testify in any legal proceedings relating thereto, at the

request of CARGILL INCORPORATED, all without further or other compensation than that above set forth, but otherwise at the cost of CARGILL, INCORPORATED.

And I (we) further covenant and agree that if and when CARGILL, INCORPORATED desires to file a disclaimer relating to said inventions in the United States or any foreign country, I (we) will, upon its request, sign and deliver all papers requisite for the filing of such disclaimer.

And I (we) authorize and request the Commissioner of Patents and Trademarks of the United States to issue the said Letters Patent to CARGILL, INCORPORATED, as assignee and owner of the said entire interest.

This Assignment shall ensure to the benefit of the successors and assigns of CARGILL, INCORPORATED.

Inventor: KLUETZ, Michael D.
Post Office: 701 Co. Rd. 10 SE
Watertown, Minnesota 55388
United States of America
Citizenship: United States of America

Signed _____

Dated _____

STATE OF Minnesota)
 ss.
COUNTY OF _____)

Before me personally appeared the above-named inventor, Michael D. Kluetz, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: _____

Notary Public

Inventor: KLEIN, Robert L.
Post Office: 14722 Oakways Ct.,
Wayzata, Minnesota 55391
United States of America
Citizenship: United States of America

Signed _____

Dated _____

STATE OF Minnesota)
)
) ss.
COUNTY OF _____)

Before me personally appeared the above-named inventor, Robert L. KLEIN, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: _____

Notary Public

Inventor: SNYDER, Stephen K.,
Post Office: 4535 Merrimac Lane North
 Plymouth, Minnesota 55446
 United States of America
Citizenship: United States of America

Signed Robert L. Stutz

Dated 6/25/04

STATE OF Minnesota)
COUNTY OF *Carver*)
SS.



Before me personally appeared the above-named inventor, Stephen K. SNYDER, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: June 25, 2004 Kathleen E. Zude
Notary Public

Inventor: GOULSON, Melanie J.
Post Office: 14890 126th Avenue, Dayton,
Minnesota 55327
United States of America
Citizenship: United States of America

Signed _____

Dated _____

STATE OF Minnesota)
ss.
COUNTY OF _____)

Before me personally appeared the above-named inventor, Melanie J. GOULSON, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: _____
Notary Public

Inventor: CAVALLINI, Vincent M.
Post Office: 4035 W. 65th St., Apt. #118,
Edina, Minnesota 55435
United States of America
Citizenship: United States of America

Signed _____

Dated _____

STATE OF Minnesota)
ss.
COUNTY OF _____)

Before me personally appeared the above-named inventor, Vincent M. CAVALLINI, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: _____
Notary Public

ASSIGNMENT

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, to my (our) full satisfaction, I (we),

KLUETZ, Michael D., 701 Co. Rd. 10 SE, Watertown, Minnesota 55388

KLEIN, Robert L., 14722 Oakways Ct., Wayzata, Minnesota 55391

SNYDER, Stephen K., 4535 Merrimac Lane North, Plymouth, Minnesota 55446

GOULSON, Melanie J., 14890 126th Avenue, Dayton, Minnesota 55327

CAVALLINI, Vincent M., 4035 W. 65th St., Apt. #118, Edina, Minnesota 55435

hereby sell and assign to CARGILL, INCORPORATED, a Delaware corporation having its principal place of business at 15407 McGinty Road West, Wayzata, Minnesota 55391, the entire right, title and interest, in the United States and all territories thereof and in all foreign countries, in and to all the inventions in:

PARTICULATE PLANT STEROL COMPOSITIONS

☐ for which an application for a United States Patent is being filed contemporaneously herewith;

☒ U.S. Application Serial Number 10/775,933, filed February 10, 2004

☐ identified as International Patent Application Serial No. PCT/ / and filed on

and naming me (us) as inventor(s); and the entire right, title and interest in and to said application and all original and reissue patents granted for any of said inventions, and all divisions and continuations of said application and patents granted thereon, and all applications for any of said inventions filed in countries foreign to the United States and patents granted thereon, including the subject matter of any and all claims which may be obtained in all such patents; and the right to apply for and obtain patents in countries foreign to the United States including the right to claim for any foreign application the benefits of any convention including but not limited to the International Convention for the protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purpose including the right to claim priority in accordance with such convention, and any other benefits available through the laws of these foreign countries with respect to patent applications as fully and entirely as I (we) could claim such benefits; and the right to file applications for patents and otherwise to apply for and obtain any patents for said inventions in its own name in any country.

And I (we) hereby covenant that I (we) have full right to convey the entire interest herein assigned, and that I (we) have not executed and will not execute any agreement in conflict herewith; and I (we) agree that I (we) will communicate to CARGILL, INCORPORATED all facts known to my (our) respecting said invention whenever requested by it, and will execute all instruments or documents requested by it for the filing and prosecution of applications for Letters Patent of the United States of America and all foreign countries on said invention, or in connection with litigation regarding said invention, or for the purpose of protecting title to said Invention or Letters Patent therefore in the United States or foreign countries and will testify in any legal proceedings relating thereto, at the

request of CARGILL INCORPORATED, all without further or other compensation than that above set forth, but otherwise at the cost of CARGILL, INCORPORATED.

And I (we) further covenant and agree that if and when CARGILL, INCORPORATED desires to file a disclaimer relating to said inventions in the United States or any foreign country, I (we) will, upon its request, sign and deliver all papers requisite for the filing of such disclaimer.

And I (we) authorize and request the Commissioner of Patents and Trademarks of the United States to issue the said Letters Patent to CARGILL, INCORPORATED, as assignee and owner of the said entire interest.

This Assignment shall ensure to the benefit of the successors and assigns of CARGILL, INCORPORATED.

Inventor: KLUETZ, Michael D.
Post Office: 701 Co. Rd. 10 SE
Watertown, Minnesota 55388
United States of America
Citizenship: United States of America

Signed _____

Dated _____

STATE OF Minnesota)
 ss.
COUNTY OF _____)

Before me personally appeared the above-named inventor, Michael D. Kluetz, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: _____
Notary Public

Inventor: KLEIN, Robert L.
Post Office: 14722 Oakways Ct.,
Wayzata, Minnesota 55391
United States of America
Citizenship: United States of America

Signed _____

Dated _____

STATE OF Minnesota)
ss.
COUNTY OF _____)

Before me personally appeared the above-named inventor, Robert L. KLEIN, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: _____
Notary Public

Inventor: SNYDER, Stephen K.,
Post Office: 4535 Merrimac Lane North
Plymouth, Minnesota 55446
United States of America
Citizenship: United States of America

Signed _____

Dated _____

STATE OF Minnesota)
ss.
COUNTY OF _____)

Before me personally appeared the above-named inventor, Stephen K. SNYDER, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: _____
Notary Public

ASSIGNMENT

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, to my (our) full satisfaction, I (we),

KLUETZ, Michael D., 701 Co. Rd. 10 SE, Watertown, Minnesota 55388

KLEIN, Robert L., 14722 Oakways Ct., Wayzata, Minnesota 55391

SNYDER, Stephen K., 4535 Merrimac Lane North, Plymouth, Minnesota 55446

GOULSON, Melanie J., 14890 126th Avenue, Dayton, Minnesota 55327

CAVALLINI, Vincent M., 4035 W. 65th St., Apt. #118, Edina, Minnesota 55435

hereby sell and assign to CARGILL, INCORPORATED, a Delaware corporation having its principal place of business at 15407 McGinty Road West, Wayzata, Minnesota 55391, the entire right, title and interest, in the United States and all territories thereof and in all foreign countries, in and to all the inventions in:

PARTICULATE PLANT STEROL COMPOSITIONS

☐ for which an application for a United States Patent is being filed contemporaneously herewith;

☒ U.S. Application Serial Number 10/775,933, filed February 10, 2004

☐ identified as International Patent Application Serial No. PCT/ / and filed on

and naming me (us) as inventor(s); and the entire right, title and interest in and to said application and all original and reissue patents granted for any of said inventions, and all divisions and continuations of said application and patents granted thereon, and all applications for any of said inventions filed in countries foreign to the United States and patents granted thereon, including the subject matter of any and all claims which may be obtained in all such patents; and the right to apply for and obtain patents in countries foreign to the United States including the right to claim for any foreign application the benefits of any convention including but not limited to the International Convention for the protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purpose including the right to claim priority in accordance with such convention, and any other benefits available through the laws of these foreign countries with respect to patent applications as fully and entirely as I (we) could claim such benefits; and the right to file applications for patents and otherwise to apply for and obtain any patents for said inventions in its own name in any country.

And I (we) hereby covenant that I (we) have full right to convey the entire interest herein assigned, and that I (we) have not executed and will not execute any agreement in conflict herewith; and I (we) agree that I (we) will communicate to CARGILL, INCORPORATED all facts known to my (our) respecting said invention whenever requested by it, and will execute all instruments or documents requested by it for the filing and prosecution of applications for Letters Patent of the United States of America and all foreign countries on said invention, or in connection with litigation regarding said invention, or for the purpose of protecting title to said Invention or Letters Patent therefore in the United States or foreign countries and will testify in any legal proceedings relating thereto, at the

request of CARGILL INCORPORATED, all without further or other compensation than that above set forth, but otherwise at the cost of CARGILL, INCORPORATED.

And I (we) further covenant and agree that if and when CARGILL, INCORPORATED desires to file a disclaimer relating to said inventions in the United States or any foreign country, I (we) will, upon its request, sign and deliver all papers requisite for the filing of such disclaimer.

And I (we) authorize and request the Commissioner of Patents and Trademarks of the United States to issue the said Letters Patent to CARGILL, INCORPORATED, as assignee and owner of the said entire interest.

This Assignment shall ensure to the benefit of the successors and assigns of CARGILL, INCORPORATED.

Inventor: KLUETZ, Michael D.
Post Office: 701 Co. Rd. 10 SE
Watertown, Minnesota 55388
United States of America
Citizenship: United States of America

Signed _____

Dated _____

STATE OF Minnesota)
 ... ss.
COUNTY OF _____)

Before me personally appeared the above-named inventor, Michael D. Kluetz, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: _____
Notary Public

Inventor: KLEIN, Robert L.
Post Office: 14722 Oakways Ct.,
Wayzata, Minnesota 55391
United States of America
Citizenship: United States of America

Signed _____

Dated _____

STATE OF Minnesota)
 ss.
COUNTY OF _____)

Before me personally appeared the above-named inventor, Robert L. KLEIN, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: _____

Notary Public

Inventor: SNYDER, Stephen K.,
Post Office: 4535 Merrimac Lane North
Plymouth, Minnesota 55446
United States of America
Citizenship: United States of America

Signed _____

Dated _____

STATE OF Minnesota)
 ss.
COUNTY OF _____)

Before me personally appeared the above-named inventor, Stephen K. SNYDER, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: _____

Notary Public

Inventor: GOULSON, Melanie J.
Post Office: 14890 126th Avenue, Dayton,
Minnesota 55327
United States of America
Citizenship: United States of America

Signed _____

Dated _____

STATE OF Minnesota)
)
) ss.
COUNTY OF _____)

Before me personally appeared the above-named inventor, Melanie J. GOULSON, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: _____
Notary Public

Inventor: CAVALLINI, Vincent M.
Post Office: 4035 W. 65th St., Apt. #118,
Edina, Minnesota 55435
United States of America
Citizenship: United States of America

Signed,

Kim Tan Lin

Dated

5/28/04

STATE OF Minnesota)
COUNTY OF Hennepin) ss.

Before me personally appeared the above-named inventor, Vincent M. CAVALLINI, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date:

5/28/04

Notary Public

Jammy Douglas
Notary Public

